

# **EXHIBIT 7**

MIAMI HERALD I-TEAM EXCLUSIVE | FIRST OF TWO PARTS

# INSIDE BROWARD'S PILL MILLS

Lured by lax regulations and discount coupons, pillheads and pushers are flocking to storefront pain clinics to load up on prescription narcotics. Overdose deaths are soaring.

BY SCOTT NIASEN  
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Broward County has become the painkiller capital of the United States, the notorious home to a cottage industry of storefront pain clinics selling alarming numbers of narcotics and feeding a broken black market sprawling through the South and New England.

In the last six months of 2008, doctors at Broward's pain clinics handed out more than 6.3 million pills of the potent painkiller oxycodone — almost four pills for every Broward resident, according to federal data compiled by the Broward Sheriff's Office.

Pills flow by the thousands every day through an ever-growing number of clinics offering drugs and prescriptions to walk-in patients of strip malls and nondescript office parks — some with armed guards stationed by the clinic doors. One Fort Lauderdale clinic has taken over a defunct drive-through fast-food restaurant.

Many clinics lure patients with the premise of drugs sold on site, and with coupons and discounts advertised in the back pages of alternative weekly newspapers, on bus benches and billboards.

"Out of State Patients Welcome," blares a recent ad for Al Pain in Fort Lauderdale. "No Wait for Walk-In," another clinic's ad says. One doctor offers a \$25 gasoline coupon to the weary, pain-afflicted traveler.

\*TURN TO PILLS, ZEA

## MORE INSIDE

FRED GRIMM: LAX REGULATIONS HAVE BROWARD A PAIN PILL HELL TO

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## What The Herald found

- 45.5 South Florida clinics sold nearly nine million oxycodone pills in the last six months of 2008.
- 33 of the top 50 oxycodone-dispensing doctors in the United States practice in Broward County.
- The number of pain clinics in South Florida grew from 60 to 150 in the past year, the DEA estimates.
- Overdose deaths in Florida caused by oxycodone rose from 340 in 2005 to 705 in 2007.

PHOTOGRAPH BY CHARLES SPATHES / MIAMI HERALD STAFF

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Posted on Sun, Apr. 05, 2009

## Broward's pill mills: Clinics multiply, drug overdoses climb

BY SCOTT HIAASEN

Broward County has become the painkiller capital of the United States, the notorious home to a cottage industry of storefront pain clinics selling alarming numbers of narcotics and feeding a brazen black market sprawling through the South and New England.

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"Out of State Patients Welcome," blares a recent ad for A1 Pain in Fort Lauderdale. "No Wait for Walk-Ins," another clinic's ad says. One doctor offers a \$25 gasoline coupon to the weary, pain-afflicted traveler.

And the travelers come -- by the thousands, narcotics investigators say, from Kentucky, Ohio, West Virginia, Massachusetts and other states. Prospective pill buyers sometimes camp outside clinics overnight, waiting for the doors to open, said Hollywood police Capt. Allen Siegel, director of a South Broward narcotics task force.

"Broward County has become the Colombia for pharmaceutically diverted drugs," Siegel said. "We're supplying everywhere."

The number of pain clinics in South Florida has ballooned from 60 to 150 in just the past year, the U.S. Drug Enforcement Administration estimates. Broward alone has 89 clinics, Siegel said.

Pain management with narcotics is recognized as a legitimate medical practice to quell chronic pain for those with injuries or conditions like arthritis. But investigators and health advocates say many of these clinics are merely pill mills where doctors feed narcotics to 65 patients a day or more.

"This medicine is about profit-making," said Mark Trouville, special agent in charge of the DEA's Miami office. "I hate to call them doctors. These people are just out to make money."

A single physician can dispense hundreds of thousands of pills. In the last six months of 2008, Trouville said, just 45 South Florida doctors dispensed nearly nine million pills of oxycodone -- a favorite among drug addicts and traffickers.

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Experts blame these clinics for a startling rise in prescription-drug overdose deaths in Florida, including a 107 percent jump in oxycodone deaths in two years.

"The rate [of overdoses] is just incredible," said George Hime, assistant director of toxicology for the Miami-Dade County Medical Examiner's Office. "It is the new epidemic of drug abuse."

Yet, regulators and police can't control the problem -- handcuffed, they say, by tepid Florida laws that allow these clinics to open in-house pharmacies and sell drugs directly to clients walking in off the street, even from far-away states.

"We are source-supplying many other states. This is literally embarrassing," Sgt. Lisa McElhaney of the Broward Sheriff's Office told a recent meeting of a county drug task force. "The system has enabled this."

## LOOSE REGULATION

Indeed, Florida's laws regulating clinics and pain doctors ignore the red flags that would alarm any drug counselor or narcotics detective. Consider:

- No state agency regularly monitors many pain clinics where narcotics are dispensed. The state Department of Health regulates healthcare professionals -- not facilities. The Agency for Health Care Administration oversees only the clinics that accept insurance, and many pain clinics take only cash.
- Many Florida pain doctors can dispense narcotics directly to patients without a pharmacist -- even doctors with disciplinary or criminal records. One Fort Lauderdale doctor can still dispense pills despite his arrest last year on charges that he gave a bogus prescription to an undercover detective. Another doctor is dispensing drugs at a pain clinic although his license is on probation after a criminal conviction in an insurance-fraud scheme.

A Miami Herald review found more than a dozen South Florida doctors with criminal or disciplinary records who are dispensing pills.

- Many clinics are not owned by doctors; rather, the doctors work as contractors for owners who may have little or no medical background.

A Miami Herald review found a handful of clinic owners with criminal records, including a Sunrise man who served two prison terms for racketeering and fraud, and a 28-year-old Palm Beach County man with convictions for auto theft and possession of steroids with intent to sell.

Building contractors, a real-estate broker and a mortgage broker have all recently joined the pain-clinic business, records show. The Miami Herald found several clinics owned by chiropractors, and others owned by an X-ray technician, a massage therapist and an acupuncturist.

While most states allow police and doctors to track patients receiving large quantities of prescription drugs, Florida is one of only 12 states without a prescription monitoring system, making the Sunshine State a magnet for the black-market pill trade and "doctor-shopping."

"Shame on us for letting it get this far," said Rep. Kelly Skidmore of Boca Raton, who is pushing in the Legislature for stricter pain clinic regulations. "We don't want every other state to view Florida as the pharmacy for illegal pain medications."

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Police in Kentucky, Tennessee, West Virginia, Ohio and other states routinely arrest drug suspects who have oxycodone bought or prescribed in Florida, often using bogus medical records to justify the medication.

"Ninety-eight percent of it is coming out of Florida," said Capt. David Hall, a narcotics detective in Scioto County, Ohio, outside Cincinnati.

#### DISTRIBUTION LEADER

More oxycodone is distributed in Florida than in any other state -- 40 percent more than in second-ranked California in 2006, according to DEA data.

Driving this trend are Florida's "dispensing practitioners" -- doctors who have special approval to sell drugs directly from their offices. In 2006, they handed out 85 percent of all the oxycodone distributed by doctors nationally.

Broward County is home to 33 of the 50 doctors who dispense the most oxycodone in the United States, according to the DEA. The 17 other doctors on that list are also from Florida.

"Totally suspicious," said Dr. Charles Grudem, a board member of the Florida Society of Interventional Pain Physicians and a vocal critic of storefront pain clinics. He questions the need for doctors to dispense narcotics from their offices.

"It creates an automatic incentive to dispense medicines that are profitable," Grudem said.

Many patients go to pain clinics with genuine medical complaints, Grudem said, but the suspect clinics offer only one remedy: powerful drugs. Drugs that can make addicts out of patients.

"They get turned into criminals," he said.

As oxycodone has spread, so have overdoses. The number of oxycodone deaths in Florida more than doubled from 2005 to 2007, to more than 700, according to the Florida Medical Examiners Commission. Some traces of oxycodone were found in 1,253 overdoses in 2007. Oxycodone-related overdoses continued to climb in the first half of 2008.

Oxycodone is only one factor in the overdose epidemic, experts say. Often, users combine the narcotic with other potentially dangerous drugs, such as methadone, and sedatives such as Xanax and Valium -- all drugs commonly sold at pain clinics.

It was a similar cocktail that killed 41-year-old Jonathan McLaughlin at his Plantation apartment last July 23.

Police found four different prescriptions at McLaughlin's bedside, all filled the day before his death. The most potent: a prescription for 240 oxycodone pills. When police found McLaughlin's body, only 121 of the painkillers remained.

McLaughlin also had anti-depressants, sedatives, and a stimulant typically used to treat children for hyperactivity, records show. All four prescriptions were written by Dr. Amy Seinfeld, an osteopathic physician in North Miami Beach, the police report says.

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Messages left for Seinfeld were not returned.

McLaughlin's girlfriend told police he had been a heroin addict; only two weeks earlier, he had stopped taking a medication to quiet his addiction. The autopsy, which ruled McLaughlin's death an accident, revealed traces of cocaine in his system.

McLaughlin used illegal drugs for years, bouncing from jail to rehab and back again before turning to prescription pills, said his sister, Alex Amos. She said he found lenient doctors -- "voodoo doctors," her brother called them -- by word of mouth, or in ads in the back of alternative newspapers.

"He couldn't get away from the temptation that surrounded him," Amos said. "He wanted so much to be better."

Amos found pharmacy records showing that her brother had received painkillers from a half-dozen doctors. She said she knew of no injury or ailment that would justify the medications prescribed to him.

The State Board of Medicine has backed proposals for stricter regulation of pain clinics and reforms to prevent doctor-shopping. But the agency says any reforms must not inhibit doctors who are treating people with legitimate ailments.

One of the difficulties for doctors treating pain -- and for police and health officials investigating fraudulent prescriptions -- is that a patient's pain is often impossible to measure objectively, making fraud that much easier.

The Florida Department of Health disciplined 119 doctors for prescription abuse from 2003 to 2007. But police and health advocates say many complaints don't make it to the medical board, and the pain clinics largely escape scrutiny.

"There are significant black holes of information," said McElhaney, the Broward sheriff's detective.

In Florida -- as in most states -- doctors who dispense pills from their offices need no special training or certification. They need only pay the state a \$100 fee, and agree to submit to the same annual inspections required of pharmacists.

Some states are stricter. Montana doesn't allow doctors to dispense pills. Doctors in New Jersey can provide no more than a seven-day supply of drugs. In Maryland, doctors can dispense drugs only when a pharmacy is unavailable.

Several Florida doctors continue to dispense drugs despite past citations by the Department of Health -- or even criminal charges.

Last July, Dr. Robert F. Hunt, a Fort Lauderdale family practitioner, was charged with providing illegal prescriptions, after allegedly giving steroids and the painkiller hydrocodone to an undercover Broward sheriff's detective without a medical exam, court records show.

"Just to cover my ass, I'm going to put down that you've got a history of osteoporosis," Hunt told the detective, according to the arrest report.

Yet, Hunt -- who has pleaded not guilty and is awaiting trial -- still has the power to dispense pills

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directly from his office.

It was unclear last week whether the state Health Department was aware of Hunt's arrest. Hunt declined to comment for this report.

Regulators have suspended the rights of some doctors to dispense drugs on their own, said Eulinda Smith, a spokeswoman for the state Department of Health. But details about those cases were not available late last week.

But in some cases, doctors on probation with the Department of Health have still been allowed to dispense drugs from their offices.

Dr. Enrique Gonzalez-Pujol's license was placed on probation after he pleaded guilty to a criminal charge of filing false medical records for clinics involved in a \$7 million insurance-fraud ring.

Under the probation, the 60-year-old doctor is barred from drinking alcohol, and he can't take any medications without a prescription from another doctor, records show. Now he is dispensing drugs to patients at the Affordahealth Pain Relief Center in Davie.

Gonzalez-Pujol has been in trouble before: In 1992, the medical board placed him on five years' probation for his failure to provide patient records to justify Medicaid claims. He also had to repay Medicaid \$14,500, records show.

The doctor said his probation does not reflect on his medical practice because the citations were not health-related.

"My probation has never had anything to do with dispensing or how I took care of patients," he said.

Gonzalez-Pujol said he screens his patients for drugs and does criminal background checks to weed out potential doctor-shoppers. He has called the police on some prospective patients.

"After you've seen the patient two or three times, you can tell whether the patient is faking it or not," the doctor said. But "you can never tell for sure."

Gonzalez-Pujol does not own the clinic where he works. Indeed, many doctors work as contractors at pain clinics, rather than own the clinics themselves. Because of this, many clinics fall through the cracks between the state agencies that monitor doctors and healthcare facilities.

#### **LIMITED OVERSIGHT**

The Department of Health can monitor a doctor's practice, but it doesn't oversee clinics. That's the job of the Agency for Health Care Administration. But under state law, the AHCA monitors only clinics that accept insurance -- and many pain clinics are cash-only.

Clinic owners also escape the scrutiny of state health officials. And several of those clinic owners have a criminal past as well.

Michael Zoyes' past includes convictions for racketeering in 1987 in a boiler-room scam, and in 2001 for fraud in a telemarketing scheme involving diet supplements, court records show.

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Five years after completing his second prison sentence, Zoyes, 54, opened Davie Pain Management in a strip mall on West State Road 84. He placed help-wanted ads on the Internet, seeking a doctor to help open a pharmacy at the clinic, and promising as much as \$12,000 a month in pay.

"No adjunct therapy," one ad reads. "Monitoring and prescribing of meds only."

Zoyes did not return messages seeking comment.

In some cases, pain doctors are paid on an escalating scale based on how many patients they see in a day, said Siegel, the Hollywood police captain. Patients typically pay \$300 to \$500 in cash, covering the cost of the visit and the prescriptions -- and then come back 28 days later for more.

Among police in Appalachia, one Fort Lauderdale clinic has earned a notorious reputation for selling pills that end up on the black market: South Florida Pain.

Police in Kentucky, Tennessee and Ohio say they have made separate arrests of drug suspects carrying pills prescribed by doctors at that clinic, owned by 28-year-old Christopher George of Royal Palm Beach, records show.

George has no formal medical training -- although he does claim a financial stake in an "anti-aging" clinic founded by his twin brother, Jeffrey George, court records show.

Christopher George, a former draftsman with a home builder, pleaded guilty in 2002 to possession of steroids with intent to sell, after postal inspectors tracked a package of pills he ordered on the Internet, court records show. He also pleaded guilty to grand theft for stealing a motorcycle, records show. He served concurrent sentences of five months in jail and three years' probation.

George did not respond to messages left at his home and with his attorney.

George's brother Jeffrey -- who has a criminal record of grand theft and resisting arrest -- owns two other South Florida pain clinics, records show. The brothers are now tangled in a court dispute over the profits from South Florida Pain.

The DEA has devoted two new special units to South Florida pain clinics, said Trouville, the Miami special agent. But many detectives and health officials say that what Florida needs is a prescription-drug database, to allow doctors and police to monitor for doctor-shopping.

Thirty-eight states have such a program -- and Florida is the largest state without one. "The 38 states that have a program like this -- they don't have this problem," Trouville said.

## MONITORING PLANS

Efforts to create a monitoring program in Florida have been defeated repeatedly over the past seven years by lawmakers concerned that such a database would infringe on patients' privacy. Two new prescription-monitoring proposals are now gaining momentum in the Legislature, passing through key House and Senate committees last week.

Police and doctors say such a database would protect prescribing physicians, so they could check on whether a patient is getting pills from multiple doctors.

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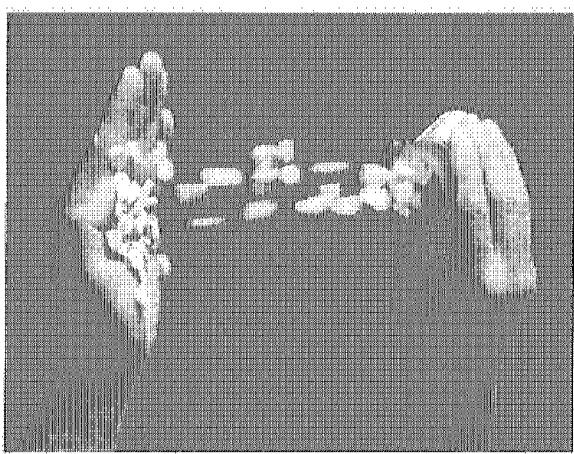
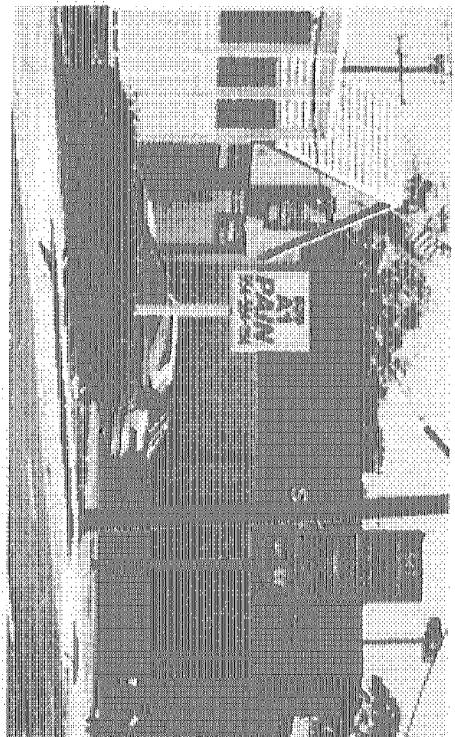
"It liberates the legitimate pain patients and legitimate pain doctors," Dr. Grudem said.

And while investigators say a prescription database would help them detect prescription fraud, they warn that it would not end it.

"It's simply a tool to help address the problem," said McElhaney, the Broward sheriff's detective. "It's not going to solve the problem."

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Posted on Mon, Apr. 06, 2009

## Pain pills from South Florida flood Appalachian states

BY SCOTT HIAASEN

Dr. Roger Browne was once one of Kentucky's most popular pain doctors.

His office, however, was 850 miles away, in Broward County.

When federal agents raided Browne's Coral Springs clinic, Americare Health and Rehabilitation, last year, they found medical files on nearly 500 Kentucky residents who had received painkillers from the doctor.

Browne was just one part of a vast pill-trafficking industry stretching from Broward County through rural Kentucky, Tennessee, Ohio and West Virginia.

Squads of traffickers dispatched from those states descend on the Fort Lauderdale area almost daily to buy oxycodone, methadone and other narcotics from doctors at local pain clinics and resell them in Appalachia, according to interviews with police and court records.

Cars from Kentucky loaded with passengers can be seen clogging the parking lots of some Broward clinics. One discount airline flying from West Virginia to Fort Lauderdale is so popular with drug dealers that police have dubbed it the "O.C. Express."

"We're inundated with it. Florida is killing us," said Sheriff Bill Lewis of Lewis County, Ky., population 14,000. "There's a carload that leaves here so often -- hell, every week or so -- to go to Florida."

In February, Lewis' deputies arrested four people returning to Kentucky with almost 1,000 painkillers prescribed by Florida doctors. And last Thursday, they arrested a suspected oxycodone trafficker carrying the business card of a Hollywood pain doctor in his wallet.

The carloads are lured by Florida's growing number of storefront pain clinics, where doctors can dispense pills to walk-in patients from on-site pharmacies with little oversight -- exploiting lax state laws and health regulations.

Broward County is now the epicenter of a prescription-drug epidemic spreading across the eastern United States, with local doctors dispensing 6.5 million oxycodone pills in the second half of last year -- far outpacing the rest of the country -- according to federal data compiled by the Broward Sheriff's Office.

"Sometimes a doctor with a pen can be some of your biggest drug dealers. It's called legal until you can prove it different," said Sheriff Kent Harris of Unicoi County, Tenn. Last week, his deputies arrested three men driving back from Florida with 1,000 pills stuffed into the motor of their car.

### THE PILL TRAIL

Police in Appalachian states confiscate Florida pills almost daily, prompting the U.S. Drug Enforcement Administration to ask police in the region to track and log the Florida doctors whose prescriptions they find. The Miami Herald has documented more than a dozen such cases in rural parts of Kentucky, Ohio, West Virginia and Tennessee this year.

The Florida pill pipeline has carved a depressing path through Appalachia, already one of the poorest regions in the country. Kentucky police call painkiller abuse an epidemic -- a far bigger problem than cocaine, methamphetamine or other illegal drugs -- sparking burglaries and robberies, and ruining lives.

"We have families breaking up, and people dying and people losing their jobs," said Sheriff Keith Cooper of Greenup County, Ky. "It's sad now that it's so routine."

Just as routine are overdose deaths. In West Virginia, accidental overdoses increased by 550 percent from 1999 to 2004 -- the biggest increase in the country -- a spike attributed to prescription painkillers, according to a recent report in the Journal of the American Medical Association.

Last August, 38-year-old Timothy Hardin died of an overdose in a Fort Lauderdale hotel room while "doctor-shopping" for pills with three friends from Kentucky, according to a medical examiner's report.

Also dead: John White, 42, who overdosed in February hours after flying back to Kentucky from Fort Lauderdale, according to police. His wife told police he had come down for a doctor's appointment.

Sheriff Steve Burns of Greene County, Tenn., said he is investigating the overdose of a teenager who died recently after returning from Broward on a pill-buying mission.

"The problem I'm having is, they're either coming back and dying, or they're coming back and selling them on the street," Burns said. "It's a problem, even if they are getting them legally."

Once in South Florida, the traffickers are hardly subtle. While on a fact-finding tour last month with Broward sheriff's detectives, two local lawmakers say they found a traffic jam of cars with Kentucky license plates outside one clinic.

"We saw cars filled with families," said Rep. Ari Porth of Coral Springs, who is also a prosecutor with the Broward state attorney's office. "I had to see it for myself to believe it."

More often, police say, pill carriers fly back and forth through Knoxville, Lexington, Blountville, Tenn., and Huntington, W. Va. Police say one airline's flight from Huntington to Fort Lauderdale -- with rates as low as \$29 one way -- is particularly popular with the pill network.

"The flight is pretty much full of dopers," said Sheriff Cooper, a former narcotics detective with the Kentucky State Police.

Many local clinics are aggressive in their advertising. "Out of State Patients Welcome," blares a newspaper ad for A1 Pain, a new clinic on Oakland Park Boulevard in Fort Lauderdale. Other clinics offer coupons and discounts for patients who bring new referrals, or advertise their price per pill.

#### 'DOCTOR SHOPPING'

Whether by car or plane, Kentucky police say, the drug dealers typically send groups of four to eight people to South Florida to buy pills from unscrupulous or unwitting doctors -- a practice commonly known as "doctor shopping."

The buyers can visit several clinics, often using forged or bogus medical records or fake MRI results to justify the medications, according to investigators in Florida and other states.

An anonymous tipster described the Kentucky-Florida pipeline in a note left for the Lewis County sheriff in December at a dock along the Ohio River: A Fort Lauderdale clinic "is giving anyone medicine all you have to tell them is that you used to go to a pain doctor and your doctor has moved," read the note, signed "Mr. X." "There is vehicles from Kentucky there every day."

Some clinics sell the pills directly to the patients; others provide prescriptions filled at pharmacies on the trip back north. Searching a suspect's home last year, Cooper said he found a road map tracing a route back from South Florida -- eight red circles marking stops in Florida, Georgia and North Carolina.

The trail is well-worn. Last month, North Carolina's Board of Pharmacy warned pharmacists to be wary of people from Kentucky, West Virginia, Ohio and Tennessee with oxycodone prescriptions from Florida doctors. "Many of the individual patients have been calling ahead, asking pharmacists if they have oxycodone or roxicodone in stock," the alert said.

These traveling bands of buyers are often drug addicts who split the pills they collect with the main dealer, who typically covers the travel expenses and sells the remaining pills, according to police and court records. An oxycodone pill selling for \$3 to \$6 at a Broward pain clinic could sell for as much as \$30 on the black market in Kentucky or Tennessee.

## DOCTORS HELPING OUT

Sometimes, the local doctors are unwitting dupes in the scheme. Others, like Browne, are knowing conspirators.

Browne, 53, teamed with a group of Kentucky drug dealers to provide thousands of painkillers through phony prescriptions for at least a year, court records show. DEA agents arrested Browne after one of his Kentucky patients became an informant, secretly recording his meetings with the doctor.

"My son's girlfriend is telling everyone that I am coming to Florida to get pills," the informant told Browne in one meeting.

"What you need to do is not tell anybody that you come here," the doctor replied.

Browne, of Pembroke Pines, was indicted along with 13 others in the drug ring. The doctor -- who spent four years as a medic at Everglades Correctional Institution in South Miami-Dade County before going into pain management -- is now serving a 2 ½-year prison term after pleading guilty to conspiracy to distribute oxycodone.

Browne is the only South Florida doctor prosecuted as part of a Kentucky drug ring -- although police say they can name several doctors whose prescriptions routinely turn up in Kentucky investigations.

"We need to start getting some of those doctors down there arrested," said Cooper, the Greenup

County sheriff. When he interviews drug suspects, he said, "it's always the same story: It's just easier to get them down there."

Prosecuting the pill buyers can be difficult. A prescription from a doctor -- even a doctor in a far-away state -- creates an assumption of legitimacy that's hard for police to disprove, law enforcement agents say. Most successful prosecutions arise when a suspect is found with only a few pills left on a fresh prescription -- suggesting the missing pills were sold or traded -- or with pills prescribed to someone else.

Florida emerged as the prime supplier of black-market pills after most other states created computer monitoring systems, allowing police to track patients receiving pills from multiple doctors. Kentucky was one of the first states to pass such a law; Florida is one of 12 states without a comparable program.

#### 'EMBARRASSING'

"We are source-supplying many other states," said Sgt. Lisa McElhaney of the Broward Sheriff's Office, who has spent years investigating prescription drug fraud. "This is literally embarrassing."

Last month, Kentucky's lieutenant governor wrote a letter to Florida House Speaker Larry Cretul, urging the passage of a new bill creating a monitoring program to help police track addicts and pill peddlers -- a proposal strangled in the Legislature for the past seven years.

Police in Appalachia say lawmakers must do something to stem the pipeline from Florida.

"Until Florida itself gets off the pot and does something about this problem -- they're just killing us all," said Terry Keelin, sheriff of Boyd County, Ky. "They're killing our citizens. It's a mess."

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